

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BROADCAST MUSIC, INC., et al.,

Plaintiffs,

Civil Action No. 04-CV-6569

vs.

ORDER

JF ENTERTAINMENT, INC., d/b/a THE PENNY
ARCADE and JOSEPH FORMICA,

Defendants.

Defendants, JF Entertainment, Inc., d/b/a They Penny Arcade and Joseph Formica have filed a motion on May 5, 2006 to set aside the default judgment. Upon due consideration of the filings of the parties and the testimony of William Robinson and Terry Culhane, it is hereby

ORDERED, that defendants' motion is denied.

So ordered: June 13, 2006

S/ MICHAEL A. TELESCA
HONORABLE MICHAEL A. TELESCA